

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 13498 of 2006

Dated: 13-09-2006

Between:

Sanjeeva Reddy

..... PETITIONER

AND

Superintending Engineer(R&B) Circle,
Nalgonda and two others.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 13498 of 2006

ORDER:

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The petitioner, who claims to be a Special Class Contractor, was awarded the work viz improvements to Hyderabad-Hanmakonda road to Alair-Jeedical PWD Road (via) Bahadurpet, Manthapuri, Ikkurthy, Ammanabole, Golankonda from KM 10/2 to 18/6 in Nalgonda District vide agreement dated 02-05-2003. It is stated that the work as agreed has already been completed and part of the amounts for the work executed were also paid. However, the LS XII and final bill of the petitioner were not finalised by the respondents in spite of repeated requests made. Hence, this writ petition.

On behalf of the respondents 1 and 2 a counter affidavit has been filed, in which it is stated that the bills for the work in question were paid under 11 part bills and the XII and final bill were also approved for a sum of Rs.6,37,144/-. When the said bills were sent to the third respondent for the purpose of sanction, the third respondent has returned the bills vide letter dated 35-03-3005/07-03-2005 with certain remarks. The second respondent gave reply on 01-06-2006 explaining the objections raised by the third respondent. However, the bills have not yet been cleared by the third respondent. It is also stated in the counter that as a matter of fact the very same objections were raised by the third respondent for payment of the 11th and part bill vide letter dated 28-09-2004. However, the explanation offered by the respondents 1 and 2 was accepted and subsequently the bills were cleared by the third respondent.

I have heard the learned counsel for the petitioner and the

learned Government Pleader appearing for the respondents
1 and 2.

In spite of service of notice, the third respondent did not choose
to appear.

In the circumstances and having regard to the counter affidavit
filed by the respondents 1 and 2, I deem it appropriate to dispose of the
writ petition with a direction to the third respondent to sanction LS XII
and final bill of the petitioner under agreement dated 02-05-2003 as
expeditiously as possible preferably within a period of four weeks from
the date of receipt of a copy of this order. It is made clear that in case
any objection is there for clearing the said bills, the same shall be
communicated to the petitioner as well as to the respondents 1 and 2
within a period of two weeks from the date of receipt of a copy of this
order. No costs.

G. ROHINI, J

Dated: 13-09-2006
KLP

